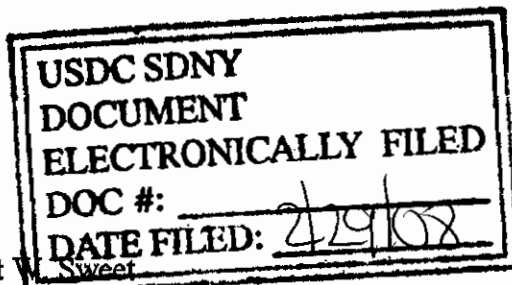


MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

Andrew J. Rauchberg
phone: 212-788-0889
fax: 212-788-0940
email: arauchbe@law.nyc.gov



BY FAX

Hon. Robert W. Sweet
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1920
New York, New York 10007

February 22, 2008

*The extension is granted. So ordered
Sweet USDC
2-27-08*

Re: Ieasha S., Maria F., and Olga C.M. v. City of New York and NYC DHS
07 Civ. 8843.

Dear Judge Sweet,

This office represents defendants in the above-referenced action, in which plaintiffs allege that their rights were violated when the Department of Homeless Services attempted to transfer them to a shelter more suitable to meet their disabilities. I write to respectfully request that the current deadline for the defendants to answer or move with respect to the amended complaint, February 22, 2008, be suspended, pending the filing of a second amended complaint, which plaintiffs have suggested is imminent.


On February 8, 2008, Plaintiffs' counsel informed me that plaintiffs would be forwarding to me a proposed second amended complaint for defendants' review on the next business day, February 11, 2008. Plaintiffs have not yet provided this proposed pleading and, although they indicate that such an amendment is forthcoming, they now refuse to commit to any date by which they intend to do so.

Plaintiffs clearly intend to amend their pleading. Indeed, based on counsel's statements of February 8 and the fact that the circumstances of this case have not changed since then, plaintiffs already have sufficient information on which to do so. Given that a further amended complaint is forthcoming, Defendants respectfully suggest that it would be a waste of the time and resources of this office and our client to respond to the present pleading, which will be made a nullity by any subsequent amendment. Plaintiffs, however, insist on such a response, though counsel stated they would consent to a ten-day extension of time for defendants to do so.

Thus, defendants respectfully request that Your Honor suspend defendants' time to respond to the current pleading until such time as permitted after plaintiffs have filed their second amended complaint (after obtaining leave of court or defendants' consent), or until three business days after plaintiffs advise that no further amendment is forthcoming. Should Your Honor deny this request, defendants respectfully request a brief extension of time to serve their response to the First Amended Complaint, to which plaintiffs already have consented.

Thank you for your consideration of this request. Defendants will be prepared to discuss this matter further at the conference scheduled for Wednesday, February 26, 2008.

Respectfully,


Andrew J. Rauchberg
Assistant Corporation Counsel

cc: Amanda Moretti, Esq.
Kenneth Stephens, Esq.
The Legal Aid Society
Homeless Rights Project
199 Water Street, 3rd Floor
New York, New York 10038
(via fax)